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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 T.N., a minor, by his Father, T.T.N.,

12 Plaintiff,

13 v.

14 Irvine Unified School District,

15 Defendant.
16
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Case No.: SACV 14-00042 JVS (ANx)

JUDGMENT

Action Filed: January 10, 2014

Hearing: September 8, 2014

Judge: Hon. James V. Selna

18 On September 8, 2014, this matter came before this Court on Plaintiff's appeal
19 of the special education due process hearing decision of the Office of Administrative
20 Hearings ("OAH") Case No. 2013080703, and on Plaintiff's complaint for breach of
21 contract; the Honorable James V. Selna, United States District Judge, presiding.
22 After considering the administrative record, case file, the briefs of the parties,
23 argument of counsel at hearing, and all other matters presented to the Court, the
24 Court finds as follows:

25 **IT IS HEREBY ORDERED** that judgment be entered in favor of Defendant
26 Irvine Unified School District ("District"), as follows:

27 1. In accordance with the Court's September 10, 2014, Memorandum of
28 Decision, incorporated herein in its entirety, and following exercise of its

1 independent judgment, and after fully reviewing the administrative record in this
 2 matter, this Court determines that the Administrative Law Judge's ("ALJ") decision
 3 dated October 18, 2013, in OAH Case No. 2013080703, is both entitled to
 4 substantial deference and is fully supported by a preponderance of the evidence.
 5 Further, in accordance with the Court's September 10, 2014, Memorandum of
 6 Decision, this Court determines that the District did not breach the Settlement
 7 Agreement by filing a due process complaint with respect to the June 7, 2013,
 8 Individualized Education Program ("IEP") and hereby grants summary judgment for
 9 the District on the breach of contract claim.

10 2. Consequently, this Court adopts the September 10, 2014, Memorandum
 11 of Decision in its entirety as the Decision of this Court;

12 3. Therefore, as the Court rejects in their entirety the allegations set forth
 13 in Plaintiff's Complaint, judgment shall be and is hereby entered against Plaintiff
 14 and in favor of Defendant;

15 4. Plaintiff shall take nothing by reason of his Complaint;

16 5. Defendant District shall recover its costs; and

17 6. T.N shall immediately begin receipt of the IEP Services and Placement
 18 delineated in his June 7, 2013 IEP, except to the extent the Parties agree, or have
 19 agreed, otherwise.

20 IT IS SO ORDERED.

21
 22 DATED: September 26, 2014

By: _____

JAMES V. SELNA

United States District Court Judge